

Before the  
**FEDERAL COMMUNICATIONS COMMISSION**  
Washington, D.C. 20554

AUG - 8 1996

FEDERAL COMMUNICATIONS COMMISSION  
OFFICE OF SECRETARY

**In the Matter of**

## Amendment of Part 95 of the Commission's Rules to Establish a Very Short Distance Two Way Voice Radio Service

WT Docket No. 95-102  
RM 8499

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## OPPOSITION OF MOTOROLA TO PETITION FOR RECONSIDERATION

Motorola hereby submits this opposition to the petition for reconsideration filed by the Personal Radio Steering Group, Inc. (“PRSG”)<sup>1</sup> in the above-captioned proceeding.<sup>2</sup> Motorola believes that the rules adopted by the FCC for the Family Radio Service (“FRS”) strike the appropriate balance between flexible regulation and interference protection. Thus, Motorola opposes PRSG’s *Reconsideration Petition* which seeks to add more than 20 new regulations to the Family Radio Service.<sup>3</sup>

In its *Report and Order*, the FCC created the Family Radio Service to provide “an affordable and convenient means of direct, short range two-way voice communications among small groups of persons.”<sup>4</sup> Partially utilizing channels also allocated to the General Mobile Radio Service (“GMRS”) at 462 MHz and 467 MHz, the Commission chose to administer the FRS primarily through transmitter technical standards rather than

<sup>1</sup> Petition for Reconsideration of a Report and Order, Personal Radio Steering Group, Inc., WT Docket No. 95-102, (filed July 5, 1996) [hereinafter *Reconsideration Petition*].

<sup>2</sup> Amendment of Part 95 of the Commission's Rules to Establish a Very Short Distance Two-Way Radio Service, WT Docket 95-102, 61 Fed Reg 28768 (June 6, 1996) [hereinafter *Report and Order*].

<sup>3</sup> Motorola takes no position with respect to the other pending petition for reconsideration filed by Dr. Michael C. Trahos.

<sup>4</sup> *Report and Order* at 2.

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complicated operational requirements. Thus, the entire operational regulatory environment for FRS consists of four simple rules governing eligibility, authorized operating locations, permissible communications and equipment authorization requirements including modifications.<sup>5</sup>

Motorola strongly supports the totality of the FCC's decisions in this proceeding. Currently, Motorola is rapidly completing its marketing and product development plans, including securing FCC equipment authorization, so that it can quickly begin selling a new line of FRS products. Public reaction to the FCC's decision has been extremely favorable and Motorola looks forward to serving this seemingly vibrant market.

For the most part, Motorola believes that most of the recommendations for further regulation that are contained in the PRSG's *Reconsideration Petition* would not have a significant effect -- either positive or negative -- on the development of the FRS service. For example, PRSG suggests that the FCC adopt a FRS rule that forbids the transmission of "music, whistling, sound effects or any material to amuse or entertain."<sup>6</sup> Motorola questions whether adopting such a rule would have any real-world influence on the inconsiderate user who desires to engage in such activity. Furthermore, given the FCC's priorities for overseeing the communications revolution into the next century, Motorola finds it highly unlikely that the FCC would ever find the resources or the inclination to enforce such rules. For this reason, Motorola recommends that the Commission decline to adopt the multitude of rules suggested by the PRSG that address operational behavior. The existing FRS rule defining permissible communications adequately addresses this issue.

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<sup>5</sup> See 47 C.F.R. Part 95, Subpart B.

<sup>6</sup> *Reconsideration Petition* at 15.

In addition, Motorola believes that the FRS rules adopted by the FCC provide the service with the necessary flexibility to refine its development as the public demands. For this reason, Motorola does not support FCC adoption of the numerous technical changes advanced by PRSG that relate to interconnection with the public switched network, pre-transmission monitoring, and remote control operation.<sup>7</sup> The FRS rules as adopted will serve the public interest by allowing manufacturers greater freedom to develop new FRS applications as the market dictates. Now is not the time to limit such flexibility. Should the abuses of the FRS service as forecast by the PRSG become prevalent in the future, the FCC can then address such issues on an issue-by-issue basis.

One area where Motorola takes strong exception to the PRSG *Reconsideration Petition* concerns the required technical standards for FRS transmitters. PRSG argues that the FCC need not require FRS radios operating on the 462 MHz channels to maintain the more rigid standards of 12.5 kHz emission bandwidth, frequency stability of 2.5 parts per million, peak frequency deviation of 2.5 kHz and maximum audio frequency response of 3.125 kHz. PRSG maintains there is no need for tighter FRS standards than those already permitted for GMRS operations. Current GMRS rules allow the use of 25 kHz FM radio technologies (20 kHz authorized bandwidth).<sup>8</sup>

Motorola disagrees with this position. The technical standards adopted for FRS do not exceed the current state-of-the-art. Rather, they are consistent with those developed for UHF private land mobile systems under the "Refarming" of the Part 90 radio services.<sup>9</sup> Maintaining this consistency with higher volume services will allow manufacturers to

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<sup>7</sup> Motorola notes that one of the PRSG recommendations is based on comments made by Motorola that FRS transmissions should be limited to some fixed period of time (PRSG recommends 120 seconds). Motorola intends to include this feature in its FRS radios -- it is necessary to preserve battery life -- but does not now believe that the FCC should mandate the requirement.

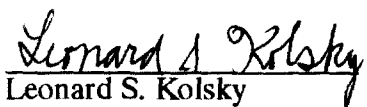
<sup>8</sup> See 47 C.F.R. §95.629.

<sup>9</sup> Cite Refarming.

achieve economies of scale in building FRS (and GMRS) transmitters utilizing technologies developed for Part 90 uses. Further, requiring 12.5 kHz technologies on the 462 MHz and 467 MHz offset channels will ease the transition of any future refarming of the GMRS frequencies. Motorola therefore encourages the FCC to maintain the adopted technical standards on all FRS channels.

In conclusion, the FCC acted wisely in minimizing the regulatory burdens on the Family Radio Service. Given the niche nature of the service, it is important that manufacturers be provided the flexibility to develop applications as the market demands. In this vein, the Commission should maintain its course and reject the proposals of the PRSG that could unintentionally limit the usefulness of the proposed service. The Commission should move quickly to conclude this proceeding so that the benefits of the Family Radio Service can be promoted to the American public.

Respectfully Submitted,

  
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August 8, 1996

**CERTIFICATE OF SERVICE**

I, Tanya Mason, of Motorola Inc. do hereby certify that on this 8th day of August, 1996 a copy of the foregoing "Comments" was sent to each of the following by hand:

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